(19) World Intellectual Property Organization

International Bureau



(43) International Publication Date 29 July 2004 (29.07.2004)

(10) International Publication Number WO 2004/063362 A3

- (51) International Patent Classification7: C12N 5/06, C12Q 1/68, A61K 38/16, 39/395, C07H 21/02, C07K 14/00, 14/435, 16/18, 16/44
- (21) International Application Number:

PCT/GB2003/005635

(22) International Filing Date:

31 December 2003 (31.12.2003)

(25) Filing Language:

English

(26) Publication Language:

English

(30) Priority Data:

60/439,123 60/468,402 10 January 2003 (10.01.2003) 6 May 2003 (06.05.2003)

- (71) Applicant (for all designated States except US): CYCLA-CEL LIMITED [GB/GB]; Dundee Technopole, James Lindsay Place, Dundee DD1 5JJ (GB).
- (72) Inventors; and
- (75) Inventors/Applicants (for US only): GLOVER, David [GB/GB]; Department of Genetics, University of Cambridge, Downing Street, Cambridge CB2 3EH (GB). BELL, Graham [GB/GB]; Cyclacel Limited, Dundee Technopole, James Lindsay Place, Dundee DD1 5JJ (GB). FRENZ, Lisa [GB/GB]; Cyclacel Limited, Polgen Division, Babraham Bioincubator Units, Babraham Hall, Babraham, Cambridgeshire CB2 4AT (GB). MIDGLEY, Carol [GB/GB]; Cyclacel Limited, Polgen Division, Babraham Bioincubator Units, Babraham Hall, Babraham, Cambridgeshire CB2 4AT (GB).

- (74) Agents: KHOO, Chong-Yee et al.; D. Young & Co., 120 Holborn, London EC1N 2DY (GB).
- (81) Designated States (national): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.
- (84) Designated States (regional): ARIPO patent (BW, GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO, SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

Declaration under Rule 4.17:

of inventorship (Rule 4.17(iv)) for US only

Published:

- with international search report
- before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments
- (88) Date of publication of the international search report: 2 December 2004

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: CELL CYCLE PROGRESSION PROTEINS

(57) Abstract: The invention describes human genes involved in cell cycle progression, including mitosis and meiosis. The invention also relates to the used of these "cell cycle progression" genes and proteins in the modulation of cell cycle progression in cells and methods for identifying modulators of these genes or proteins and hence modulators of mitosis and meiosis.

Inte onal Application No PCT/GB 03/05635

A. CLASSIFICATION OF SUBJECT MATTER IPC 7 C12N5/06 C120 A61K39/395 C12Q1/68 A61K38/16 C07H21/02 C07K14/435 C07K16/18 C07K16/44 C07K14/00 According to International Patent Classification (IPC) or to both national classification and IPC B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols) C12N C12Q A61K C07H C07K Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched Electronic data base consulted during the international search (name of data base and, where practical, search terms used) EPO-Internal, Sequence Search, WPI Data, PAJ, MEDLINE, BIOSIS, EMBASE C. DOCUMENTS CONSIDERED TO BE RELEVANT Relevant to claim No. Category ° Citation of document, with indication, where appropriate, of the relevant passages X GREEN SIMON R ET AL: "Mitosis as a source 1-5, for the identification of novel cancer 7-16. chemotherapeutic targets" 19-30, PROCEEDINGS OF THE AMERICAN ASSOCIATION 33-36 FOR CANCER RESEARCH ANNUAL vol. 43, March 2002 (2002-03), pages 961-962, XP001180995 93rd Annual Meeting of the American Association for Cancer Research; San Francisco, California, USA; April 06-10, 2002, March, 2002 ISSN: 0197-016X the whole document -/--Further documents are listed in the continuation of box C. Patent family members are listed in annex. X Special categories of cited documents: "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the "A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier document but published on or after the international "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to filing date *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention consider of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art. "O" document referring to an oral disclosure, use, exhibition or document published prior to the international filing date but later than the priority date claimed "&" document member of the same patent family Date of mailing of the international search report Date of the actual completion of the International search **3** 0. 09. **04** 8 June 2004 Name and mailing address of the ISA Authorized officer European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo ni, Fax: (+31-70) 340-3016 Meacock, S

Int tional Application No
PCT/GB 03/05635

ation) DOCUMENTS CONSIDERED TO BE RELEVANT Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Onation of document, with indication, where appropriate, of the relevant passages	i neevani to ciaim No
SCAEROU F ET AL: "Potential novel drug targets identified through genes essential for mitosis in Drosophila." MOLECULAR BIOLOGY OF THE CELL, vol. 13, no. Supplement, November 2002 (2002-11), page 168a, XP009030401 42nd Annual Meeting of the American Society for Cell Biology; San Francisco, CA, USA; December 14-18, 2002 ISSN: 1059-1524 the whole document	1-5, 7-16, 19-30, 33-36
WO 01/72774 A (MIDGLEY CAROL ;CYCLACEL LTD (GB); DEAK PETER (GB); GLOVER DAVID MO) 4 October 2001 (2001-10-04) abstract page 45 - page 56	1-5, 7-16, 19-30, 33-36
SOMMA MARIA PATRIZIA ET AL: "Molecular dissection of cytokinesis by RNA interference in Drosophila cultured cells." MOLECULAR BIOLOGY OF THE CELL. UNITED STATES JUL 2002, vol. 13, no. 7, July 2002 (2002-07), pages 2448-2460, XP002279033 ISSN: 1059-1524	
ADAMS M D ET AL: "The genome sequence of Drosophila melanogaster" SCIENCE, AMERICAN ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE,, US, vol. 287, 24 March 2000 (2000-03-24), pages 2185-2195, XP002144875 ISSN: 0036-8075	
MCDONALD E R 3RD ET AL: "Checkpoint genes in cancer." ANNALS OF MEDICINE. ENGLAND MAR 2001, vol. 33, no. 2, March 2001 (2001-03), pages 113-122, XP009031946 ISSN: 0785-3890 the whole document	
	for mitosis in Drosophila." MOLECULAR BIOLOGY OF THE CELL, vol. 13, no. Supplement, November 2002 (2002-11), page 168a, XP009030401 42nd Annual Meeting of the American Society for Cell Biology;San Francisco, CA, USA; December 14-18, 2002 ISSN: 1059-1524 the whole document WO 01/72774 A (MIDGLEY CAROL;CYCLACEL LTD (GB); DEAK PETER (GB); GLOVER DAVID MO) 4 October 2001 (2001-10-04) abstract page 45 - page 56 SOMMA MARIA PATRIZIA ET AL: "Molecular dissection of cytokinesis by RNA interference in Drosophila cultured cells." MOLECULAR BIOLOGY OF THE CELL. UNITED STATES JUL 2002, vol. 13, no. 7, July 2002 (2002-07), pages 2448-2460, XP002279033 ISSN: 1059-1524 ADAMS M D ET AL: "The genome sequence of Drosophila melanogaster" SCIENCE, AMERICAN ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE, US, vol. 287, 24 March 2000 (2000-03-24), pages 2185-2195, XP002144875 ISSN: 0036-8075 MCDONALD E R 3RD ET AL: "Checkpoint genes in cancer." ANNALS OF MEDICINE. ENGLAND MAR 2001, vol. 33, no. 2, March 2001 (2001-03), pages 113-122, XP009031946 ISSN: 0785-3890

mational application No. PCT/GB 03/05635

Box I	Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)					
This Inter	national Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:					
	Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:					
	Although claims 5, 6, 13, 19-24 and 26 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.					
ا	Claims Nos.: 6, 17, 18, 31 and 32 because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful international Search can be carried out, specifically:					
	see FURTHER INFORMATION sheet PCT/ISA/210					
	Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).					
Box II	Observations where unity of invention is lacking (Continuation of Item 2 of first sheet)					
This Inter	national Searching Authority found multiple inventions in this international application, as follows:					
	see additional sheet					
	As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.					
	As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.					
	As only some of the required additional search fees were timely paid by the applicant, this international Search Report covers only those claims for which fees were paid, specifically claims Nos.:					
	No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is estricted to the invention first mentioned in the claims; it is covered by claims Nos.: 1-36 (all partially)					
Remark c	The additional search fees were accompanied by the applicant's protest. No protest accompanied the payment of additional search fees.					

International Application No. PCT/ GB 03/05635

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.1

Although claims 5, 6, 13, 19-24 and 26 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.

Continuation of Box I.2

Claims Nos.: 6, 17, 18, 31 and 32

Claims 6, 17, 18, 31 and 32 related to agonists and antagonists of the polypeptide of Figure 1.

The application provides no support within the meaning of Article 84 EPC and no disclosure within the meaning of Article 83 EPC for any such compounds. As a result, the claims so lack support, and the application so lacks disclosure, that a meaningful search is impossible.

Independent of the above reasoning, the claims also lack clarity (Article 84) since the subject-matter is defined solely by reference to a result to be achieved, and the description provides no technical characterisation of the compounds. Again, this lack of clarity is such as to render a meaningful search impossible.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.

Information on patent family members

Inte onal Application No PCT/GB 03/05635

Patent document cited in search report		Publication date		Patent family member(s)	Publication date
WO 0172774	A	04-10-2001	AU EP WO US	3943401 A 1330472 A2 0172774 A2 2003152945 A1	08-10-2001 30-07-2003 04-10-2001 14-08-2003

Form PCT/ISA/210 (patent family annex) (January 2004)